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September 25, 2012

Honorable Brian M. Kogan  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**Re: *Boris Sigalov v. Katzman Garfinkel & Berger Associates***  
***USDC Eastern District Case No.: 1:2012-CV-004171***  
***Our Reference No.: 00001-174***

Dear Judge Kogan:

The undersigned represents the Florida based law firm of Katzman Garfinkel, P.A. d/b/a Katzman Garfinkel & Berger ("KG&B"). This letter seeks permission for KG&B to appear telephonically at the Case Management Conference for the above-referenced matter scheduled on October 4, 2012.

Although the subject lawsuit names the non-existent entity of Katzman Garfinkel & Berger Associates as the defendant, KG&B believes that the Plaintiff intended to file the action against KG&B. The undersigned has notified counsel for Plaintiff of this error and requested that an amended complaint be filed, but to date this has not occurred. Additionally, KG&B has not yet been formally served with process. However, KG&B is on notice of the suit and expects to be served with the complaint shortly before the soon upcoming scheduled conference. KG&B accordingly files this request for telephonic appearance now, in an abundance of caution, so as to provide sufficient time for the Court to consider the request.

The basis for the request to appear telephonically is that KGB is located in South Florida and has absolutely no presence in the State of New York. The suit alleges FDCPA violations relating to a foreclosure suit filed against Plaintiff regarding Florida property owned by Plaintiff. The suit is currently being litigated in a Florida State by KG&B on behalf of a community association client. It is KG&B's contention that the subject Federal claim is baseless and being pursued by Plaintiff in a distant state solely for the purposes of harassment. Under such circumstances, it is respectfully requested that KG&B be spared the inconvenience and expense having to travel to New York to personally appear at the October 4, 2012 conference, and instead be permitted to appear by telephone.

Please note: Naples, St. Augustine and Boynton Beach locations are satellite offices (by appointment only).

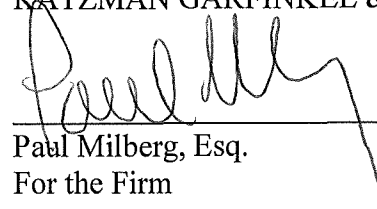
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By filing this request for a telephonic hearing, KG&B does not intend to waive any defenses regarding service, improper venue, not being a named defendant in the suit, or any similar jurisdictional defenses.

Thank you for your time and consideration.

Respectfully,

KATZMAN GARFINKEL & BERGER

  
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Paul Milberg, Esq.  
For the Firm

PJM/dbm

cc: Maxim Maximov, Esq.